

110TH CONGRESS  
2D SESSION

# S. 2930

To amend title 37, United States Code, to extend to members with dependents the second basic allowance for housing for members of the National Guard and Reserve and retired members without dependents who are mobilized in support of a contingency operation, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

APRIL 29, 2008

Mr. CASEY introduced the following bill; which was read twice and referred to the Committee on Armed Services

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## A BILL

To amend title 37, United States Code, to extend to members with dependents the second basic allowance for housing for members of the National Guard and Reserve and retired members without dependents who are mobilized in support of a contingency operation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Reserve Component  
5 Residence Protection Act of 2008”.

1 **SEC. 2. EXTENSION TO MEMBERS WITH DEPENDENTS OF**  
2 **SECOND BASIC ALLOWANCE FOR HOUSING**  
3 **FOR RESERVE COMPONENT AND RETIRED**  
4 **MEMBERS WITHOUT DEPENDENTS SERVING**  
5 **IN SUPPORT OF CONTINGENCY OPERATIONS.**

6 (a) FINDINGS.—Congress makes the following find-  
7 ings:

8 (1) Section 604 of the John Warner National  
9 Defense Authorization Act for Fiscal Year 2007  
10 (Public Law 109–364; 120 Stat. 2245) authorizes a  
11 second basic allowance for housing for members of  
12 the reserve components of the Armed Forces without  
13 dependents, and retired members of the Armed  
14 Forces without dependents, who are called or or-  
15 dered to active duty in support of a contingency op-  
16 eration.

17 (2) It is in the national interest that the second  
18 basic allowance for housing described in subsection  
19 (a) be authorized for members of the National  
20 Guard and Reserve with dependents who are called  
21 or ordered to active in support of a contingency op-  
22 eration.

23 (b) EXTENSION OF ALLOWANCE.—Section 403(g)(2)  
24 of title 37, United States Code, is amended—

25 (1) in the first sentence—

1 (A) by striking “may provide” and insert-  
 2 ing “shall provide”;

3 (B) by inserting after “to a member de-  
 4 scribed in paragraph (1)” the following: “, or to  
 5 a member otherwise described in paragraph (1)  
 6 who is with dependents,”; and

7 (C) by striking “without dependents” and  
 8 inserting “with or without dependents, as appli-  
 9 cable”; and

10 (2) in paragraph (2), by inserting “, or as oth-  
 11 erwise authorized by law,” after “under paragraph  
 12 (1)”.

13 (c) EFFECTIVE DATE.—

14 (1) IN GENERAL.—Except as provided in para-  
 15 graph (2), the amendments made by subsection (b)  
 16 shall take effect on the date of the enactment of this  
 17 Act, and shall apply with respect to months that  
 18 begin on or after that date.

19 (2) RETROACTIVE PAYMENT TO MEMBERS ON  
 20 ACTIVE DUTY AT ENACTMENT.—In the case of any  
 21 member of a reserve component of the Armed  
 22 Forces with dependents, or retired member of the  
 23 Armed Forces with dependents, who is on active  
 24 duty as of the date of the enactment of this Act as  
 25 described in paragraph (1) of section 403(g) of title

1        37, United States Code, and to whom is payable the  
2        basic allowance for housing provided by paragraph  
3        (2) of such section as a result of the amendments  
4        made by subsection (b), the basic allowance for  
5        housing shall be so payable for each month before  
6        the date of the enactment of this Act that began on  
7        or after the effective date of the orders of the mem-  
8        ber to such active duty.

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